

Message Text

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E.O. 11652 N/A
TAGS: TECH, ENRG, GW
SUBJECT: GERMAN COURT DECISIONS ABOUT CONSTRUCTION
OF NUCLEAR POWER PLANTS.

REF: A. BONN 4990; B. BONN 4688

1. SUMMARY. WITHIN THE LAST FEW MONTHS THE NUCLEAR
CONTROVERSY IN THE FRG ACQUIRED A NEW DIMENSION,
WHEN AN INCREASING NUMBER OF INTERVENTIONS OPPOSING
THE CONSTRUCTION OF NUCLEAR POWER PLANTS WAS TAKEN
TO COURT. THE TWO MOST RECENT COURT DECISIONS REVEAL
COMPLETELY DIFFERENT OPINIONS ABOUT THE SAFETY
OF GERMANY'S NUCLEAR REACTORS AND THEREBY INCREASE
THE UNCERTAINTY ABOUT THE IMPLEMENTATION OF GERMANY'S
NUCLEAR POWER PROGRAM WHICH IS NOW PROJECTED AT
ABOUT 30 000 EMW CAPACITY BY 1985. SINCE MOST OF
THESE CASES WILL BE APPEALED, THE DELAY COULD STOP
CONSTRUCTION OF NEW NUCLEAR POWER PLANTS FOR A FEW
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YEARS. APPROXIMATELY 18000 EMW OF NUCLEAR CAPACITY
IS NOW OPERATING OR UNDER CONSTRUCTION. SOME OF
THESE POWER PLANTS ARE ALREADY UNDER ATTACK. END
SUMMARY.

2. ON APRIL 12 THE ADMINISTRATIVE COURT AT
WUERZBURG ANNOUNCED ITS DECISION ABOUT CONSTRUCTION

OF THE 1380 EMW PRESSURIZED WATER REACTOR AT GRAFENRHEINFELD NEAR THE CITY OF SCHWEINFURT. CONSTRUCTION BEGAN ABOUT THREE YEARS AGO AND SOME DM 700 MILLION HAVE ALREADY BEEN SPENT ON CONSTRUCTION. THE CITY AUTHORITIES AND THREE PRIVATE CITIZENS HAD QUESTIONED THE SAFETY OF THE REACTOR DESIGN, WHICH MUST BE ADEQUATE ACCORDING TO THE PROVISIONS OF THE ATOMIC ENERGY ACT. THE COURT REJECTED THE INTERVENTION AND EXPLICITLY DENIED THAT A BURST-PROOF REACTOR CONTAINMENT WAS REQUIRED. THIS STANDS IN MARKED CONTRAST TO THE RECENT DECISION ABOUT THE REACTOR AT WYHL WHERE THE COURT HAD RULED THAT THE PROTECTION OF THE PUBLIC REQUIRED SUCH A DESIGN. (REF.B).

3. IN THE MEANTIME, THE ASSOCIATION OF GERMAN ELECTRIC UTILITIES (VDEW) ANNOUNCED THAT NUCLEAR POWER PLANTS RETAINED THEIR ECONOMIC ADVANTAGE OVER FOSSILE FIRED PLANTS, EVEN IF A BURST PROOF CONTAINMENT -- A DM 45 MILLION INVESTMENT -- HAD TO BE INSTALLED. IN THIS CONTEXT THE INSTITUTE FOR REACTOR SAFETY REPEATED THE OPINION OF THE FEDERAL ADVISORY REACTOR SAFETY COMMISSION THAT SUCH A BURST PROOF CONTAINMENT WAS NOT ESSENTIAL, BECAUSE THE CURRENT HIGH STANDARD OF CONTINUOUS QUALITY MONITORING, INCLUDING PRESSURE TESTS, ASSURED THE DETECTION OF ANY FAULT BEFORE A CATASTROPHE COULD OCCUR.

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4. IN ANOTHER COURT ACTION THE CITY GOVERNMENT OF HAMELN HAS INTERVENED OPPOSING THE CONSTRUCTION OF THE NEARBY REACTOR AT GROHNDE. (REF.A). THE AUTHORITIES HAVE CONTRACTED THE SAME LEGAL FIRM THAT SUCCESSFULLY STOPPED THE CONSTRUCTION OF THE REACTOR AT WYHL. THEIR OBJECTION COVERS THREE POINTS: 1. INCOMPLETE MEASUREMENTS OF THE EFFECTS OF RADIOACTIVE FALLOUT, 2. FAILURE TO INSTALL A BURST PROOF REACTOR CONTAINMENT AND 3. NO CONCEPT FOR THE MANAGEMENT OF SPENT FUEL ELEMENTS.

STOESSEL

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